



601752

PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANT: Troy R. Seehafer et al.
SERIAL NO.: 10/099,757 ART UNIT: 1752
FILED: March 13, 2002 EXAMINER: Schilling, Richard L.
FOR: UNIFORM MICROCAPSULES CONF NO. 4107
DOCKET NO. 6510

RESPONSE TO COMMUNICATION

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

March 16, 2004

Sir:

Responsive to the communication of March 10, 2004, Applicants elect, with traverse, to prosecute the Group I claims 1-15 and 17-29.

Examiner categorizes Group II claims 16, 30 and 31 as distinct. Applicant respectfully disagrees that the capsules of Group II can be made by another and materially different process. Claims 16 and 30 are dependent claims, expressly dependent on the processes of claim 1 and 17 respectively.

Claim 31 is similarly a product by process claim.

To the extent that claims 16, 30 and 31 depend on the explicit processes of claims 1 and 17 respectively, Examiner's comments relating processes according to Rourke do not accurately describe the claims, and Examiner's comments that the inventions are distinct is in error, as the claims expressly depend on the processes of Group I. No additional undue search in addition to searching Group I would appear applicable.

Accordingly the restriction requirement is traversed, and reconsideration requested.

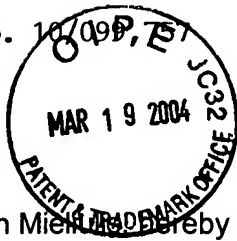
Nonetheless to advance prosecution, Applicants elect to prosecute Group I, claims 1-15 and 17-29.

Respectfully submitted,

Benjamin Mieliulis
Reg. No. 29,675
Appleton Papers Inc.
Law Department
P.O. Box 359
Appleton, WI 54912-0359
920-991-8661

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CERTIFICATE OF MAILING

I, Benjamin Mieliulis, hereby certify that on March 16, 2004 this document is being deposited with the United States Postal Service, first-class in an envelope addressed to: Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450.

By:

Benjamin Mieliulis